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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/621,324

07/18/2003

Feihong Chen

29250-000979/US

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32498

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05/22/2008

CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC
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VIENNA, VA 22183

EXAMINER

MOORE, IAN N

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

05/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10621324	7/18/2003	CHEN ET AL.	29250-000979/US

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EXAMINER

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ART UNIT	PAPER
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2616	20080324
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Commissioner for Patents

After reviewing the appeal brief section IV, status of amendment, it is noticed that applicant has not received the advisory action processed 12-21-2007 per USPTO record. The advisory action inadvertently was not mailed or received by the applicant. The advisory action has been resubmitted for mailing on 3-24-08. To ensure applicant receive this advisory action, examiner has also attached a duplicate copy of advisory action to this instant communication.

The Section IV, of the appeal brief also recites that "appellant presume the amendment contained in the AAF (amendment after final) will be entered".

In view of the advisory processed on 12-21-2007, which is attached, the amendment introduces new issue, which required further consideration and/or search.

Claim 13 is amended in lines 4 to include "after said receiving step". This addition made to claim 13 raise new issue.

In addition it is also noted that, by incorporating claim 2 into independent claim 1, new issue is introduced to claims 3 and 4 since claims 3 and 4 no longer depend on independent claim 1 alone. Similar scenario applicable to claims 7 and 8 where claim 6 is incorporated into independent claim 5; claims 11 and 12 where claim 10 is incorporated into independent claim 9; claims 15 and 16 where claim 14 is incorporated into independent claim 13; claims 19 and 20 where claim 18 is incorporated into independent claim 17; claims 23 and 24 where claim 22 is incorporated into independent claim 21.

Thus, the appeal brief is non-compliant appeal brief. Notice of non-compliant appeal brief will be mailed to the applicant since the appeal brief is based on the new issues which were not entered.

INM
3-24-2008

/Doris To/
Supervisory Patent Examiner, Art Unit 2616